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PUBLIC COMMENT
on
THE WEST MOJAVE PLAN

Kerr-McGee Center, Ridgecrest, California

July 10, 2001

6:00 P.M.

1 APPEARANCES:

2

3 Mr. Bill Haigh

4 Project Manager/West Mojave Plan

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6 Mr. Les Weeks

7 Advanced Resource Solutions, Inc.

8 Recreation Planning Specialist

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10 Ms. Valerie Pilmer

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Court Reporter: Diana S. Crane, C.S.R.
Sylvia Mendez & Associates

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1 motorized vehicle access to the desert.

2 That's laid out by Congress and federal law.
3 It's right up there in front under the acronym FLPMA,
4 providing outdoor recreation uses including where
5 appropriate off-road recreation vehicle use in the
6 California desert, while at the same time conserving
7 rare and endangered animals. And that's our challenge
8 in the West Mojave Plan, conserve the tortoises and
9 other animals and provide off-highway vehicle access.

10 This whole process that we are going through
11 right now, the field checks, the maps you see on the
12 wall, are part of the effort we will be engaged in in
13 the next six to eight months to try to come up with a
14 proposed action, a proposed vehicle access network that
15 works for wildlife in the desert that we will look at,
16 and an environmental impact statement that will go out
17 for public review by this time next year.

18 And that environmental impact statement will --
19 between now and the end of that environmental process
20 will have probably, in the next year or so, public
21 comments, public meetings, to develop this vehicle
22 access network.

23 We have had three or four meetings recently
24 here in Ridgecrest to talk about this. We had a
25 question-and-answer meeting that was held last March.

1 We had an open house that was held over in the seniors'
2 center near here in May, and that -- the request of a
3 number of persons for having this meeting tonight to
4 accept oral comments.

5 Those of you who are reviewing our maps of some
6 of the -- of the El Paso Mountains, Ridgecrest, and Red
7 Mountain areas -- we have had maps out with a suggested
8 starting point vehicle access network for about three
9 months now. Your written comments should be submitted
10 to our office in Riverside by July 31st.

11 So those written comments and the oral comments
12 you will make today will be considered when we revise
13 that network and try to come up with a formal proposal
14 that we will look at in great detail next year in the
15 environment impact statement.

16 So tonight, after a couple of introductory
17 announcements, we will get into listening to your public
18 comments on the process we are going through. And
19 first, though, I would like to make a couple of
20 announcements.

21 Over the last few months, we have had people
22 who said one thing we want to make sure of is that you
23 base all your decisions on good science, that you have
24 sufficient staff explain the "why" that goes into it,
25 the reasons for decisions to allow off-highway vehicles

1 in certain areas, and why they might have to be
2 restricted in other areas, that you don't do it for an
3 arbitrary reason.

4 And to help us out coming to that, in the last
5 two months, we have retained a consulting firm, CH2M
6 Hill, with a full team of biologists, recreation
7 planners, computer map specialists, a lot of other folks
8 to give us a lot more expertise and a lot more folks
9 available to put into this effort to make sure that what
10 we come up with in this process is based on good science
11 and good rationale, and that the comments that you make
12 can be considered by these folks, by us, when we come up
13 with a proposal.

14 Les Weeks is the recreation planner for CH2M
15 Hill. He is coming up to Ridgecrest. He is available
16 to meet with any of you folks who would like small,
17 private meetings with him to talk about this issue.

18 And Tom Peters is leading up the effort for CH
19 in his offices down in the Los Angeles basin. Tom, if
20 you could stand up. And you are free after the meeting
21 to talk to Tom about this whole process, as well.

22 The second thing to keep in mind tonight, you
23 will see a schedule that I held up at the last public
24 meeting, a schedule for the whole West Mojave planning
25 process, that shows the off-highway vehicle reviews that

1 we are doing this summer, fall, and the environmental
2 impact statement next year.

3 One comment that we have had over the last five
4 or six weeks is that the schedule is too compressed,
5 that we are having too much of the review efforts
6 concentrated in the summer months, and it's just an
7 overwhelming workload.

8 What I am trying to do is come up with ideas
9 for amending that schedule within the confines of some
10 of the scheduling deadlines we have to provide more
11 time, to stretch this out, and to try to focus this on
12 the areas of the desert where we really have to develop
13 a good, rough motorized vehicle route network where you
14 have real critical wildlife values.

15 So any suggestions you might have about
16 scheduling, about making maps available, about making
17 this review work better for you, constructive, very
18 specific comments, I would really appreciate that
19 tonight. Because we will take those to heart and try to
20 pass those along to CH and to our folks.

21 In addition, any scheduling modifications, I am
22 going to take up in three weeks on the 25th at the Green
23 Tree Inn in Victorville with a special subcommittee we
24 call Task Group 2. They are working with this motorized
25 vehicle access issue. And I will talk to them about

1 what changes we might have to make in response to what
2 you folks here say.

3 So what I would like to do is get into the
4 public comment part. When we call your name -- and
5 Valerie here will call the names. We would ask you to
6 come up here to the microphone and identify yourself,
7 who you might be representing. And as you speak, the
8 court reporter will record your comments.

9 Try to limit it to about five minutes or so,
10 given the number of people in here. If you go a little
11 over it, that's fine, too. Just to make sure that
12 everybody has a chance to speak, try to be specific and
13 limit yourself to five or six minutes, give or take.
14 And, also, if you could make your comments as
15 constructive as possible, as things we should do to make
16 this process more responsive, that would help a lot.

17 So with that, I think I will turn it over to
18 Valerie to call the first person. And we will sit up at
19 the front. If you have any questions specifically you
20 would like to address, you can ask them, and we can
21 respond to those questions. Valerie?

22 MS. PILMER: Let me just add, we have
23 request-to-speak forms on the table in the back. And if
24 you haven't filled one out already, and you have an urge
25 to speak during the meeting, if you could please fill

1 one out and put it in the box. And Loretta in the back
2 will make sure we get it. And we will call your name.

3 The first speaker that we have tonight is Carol
4 Landry.

5 MS. CAROL LANDRY: I am Carol Landry. I am
6 from Hesperia, California. I am an independent horse
7 person.

8 No. one, I feel BLM is in violation of the NEPA
9 process for the route designation portion of WEMO, and
10 is not in compliance with RS 2477 as mandated by
11 Congress in 1976, that specifically and explicitly
12 reaffirm all grants previously made.

13 Two, I am unaware of any Notice of Intent since
14 the initial filing in the Federal Register approximately
15 eight to ten years ago. This plan has been altered a
16 minimum of three times since that time. Info given to
17 the public has been poor, at best, in other words, no
18 accurate data, maps, or supporting criteria for route
19 closures or expansion of wildlife areas.

20 I am also unaware of provisions for the
21 Americans with Disabilities for the route closures. I
22 feel I have not been given due process in this
23 management plan. Plus, I resent the inefficiency of the
24 BLM to perform in the public interest, not their own.

25 There is no doubt the BLM is counting on public

1 apathy on these issues of access, perhaps feeling only a
2 few will speak up, but not follow through because of
3 personal, family, and work commitments. However, I
4 personally know people are involved and also speak at
5 public meetings and right to elected officials who are
6 busily following through. Please listen and act
7 accordingly. Thank you.

8 MS. PILMER: The next person will be Stan Haye.
9 And following Stan Haye, we will ask Sophia Merk. So
10 you might be ready to come up.

11 MR. STAN HAYE: My name is Stan Haye. I live
12 here in Ridgecrest. And I would like to mention first
13 tonight that whenever access is mentioned, I would like
14 everyone to remember that the word "motorized" should be
15 put in front of it. What we are talking about is
16 motorized access. We are not talking about closing the
17 desert or making it into a military base. We are just
18 talking about motorized access.

19 Also like to emphasize that FLPMA says
20 motorized access should be provided where appropriate.
21 That's the key. And I think that's probably what we are
22 discussing is the words "where appropriate."

23 Motorized access should be regulated to prevent
24 damage to other resources and conflicts with other
25 users. And that's mandated by the law and by the

1 regulations.

2 The routes that are open should provide
3 necessary access to private property, mining claims, so
4 on and so forth. There doesn't need to be any duplicate
5 routes. And the routes that are open should provide
6 this minimum amount of access.

7 They should be located, as I say, to eliminate
8 duplication and to minimize erosion and maintenance and
9 conform to the standards of the California Off-Way
10 Vehicle Program. Because some of the money for
11 maintaining this does come from the State of California.
12 So these routes should conform to that -- to those
13 standards.

14 The routes should also minimize disturbance to
15 other natural values. And the consultants should take
16 that into consideration when they map these routes and
17 do their work.

18 I think that's it. We are not against
19 motorized access at all in the desert. I enjoy it
20 myself. But it needs to be regulated, as I say, to
21 prevent damage to other resources and conflicts with
22 other users. Thank you.

23 MS. PILMER: Following this speaker, Lorelei
24 Oviatt will be next.

25 MS. SOPHIA MERK: Hi. My name is Sophia Ann

1 Merk. My friends call me Sam. And I live in the area
2 that will be affected by the WEMO plan. The following
3 is a list of items that I believe has not been completed
4 by the BLM before initiating the route designations as
5 proposed.

6 The scope of the WEMO plan has changed
7 significantly since the initial assessment over ten
8 years ago. Today, there is no -- been no Notice of
9 Intent published in the Federal Register.

10 The BLM has chosen to ignore the established
11 procedure of developing a complete and accurate
12 inventory of the routes in the planning area:
13 Determining which roads involve resource management
14 issues, exploring different opportunities to correct the
15 problems before closing the roads, correct signage of
16 existing roads, and developing a set of management
17 alternatives to be included in the draft environment.

18 The BLM does not have an accurate inventory of
19 existing routes. Aerial photography is not the same on
20 the -- as on-the-ground field checks. There are no
21 route numbers identifying designations on the specific
22 roads shown on the maps.

23 Roads going to partials on two-and-a-half acres
24 will not show up on these maps. And private property
25 owners will now have to justify their existence. Roads

1 going to water sources do not show up on these maps,
2 although water is critical in the desert.

3 And correct analysis of roads is not supplied,
4 i.e., the frequency the roads are traveled, the typical
5 season that's used these roads, the purpose, and what
6 mitigating factors already are in existence.

7 There are no rationale for closing these roads.
8 The information usually includes vegetation maps,
9 habitat maps, and soil maps. These are all missing from
10 the current proposal. In conclusion, I would like to
11 state that the moment a vehicle leaves the pavement, it
12 becomes an off-road vehicle. Not all people use it for
13 the same purpose.

14 If I choose to drive my parents' 1986 Camry to
15 take my father to look at wild flowers in the El Pasos,
16 to do my school work using my four-wheel-drive truck for
17 a geology field trip, or to write poetry with a friend
18 using a two-wheel-drive sedan. Thank you.

19 MS. PILMER: Lorelei Oviatt. She will be
20 followed by Supervisor John McQuiston.

21 MS. LORELEI OVIATT: I am Lorelei,
22 L-o-r-e-l-e-i, Oviatt, O-v-i-a-t-t. I am a senior
23 planner with the Kern County Planning Department.

24 The Kern County Planning Department has
25 participated in the West Mojave Plan since its

1 beginnings before 1996. We are active members of the
2 Super Group, the Steering Committee, and various task
3 groups.

4 Our full comments for this meeting have been
5 submitted into the record to Mr. Haigh. And we will be
6 submitting additional comments on the July 31st
7 deadline.

8 This route designation process has resulted in
9 documents for public review that are inaccurate,
10 difficult to understand, and completely lacking in
11 scientific credibility. We do not accept these
12 preliminary assessments as sufficiently accurate to move
13 forward with anything like a decision-making process.

14 The network appears to have been developed from
15 the assumption that routes are to be closed unless there
16 is some specific route attribute, such as private
17 property access or recreational value, that would
18 justify keeping it open.

19 This after-the-fact rationalization and lack of
20 credible criteria violates the Federal Land Policy
21 Management Act, the Administrative Procedures Act, and
22 is insufficient for any NEPA document. It's certainly
23 also not consistent with the goals of the California
24 Desert Conservation Area Plan that requires motorized
25 vehicle access be established in a balance of all the

1 needs of the desert users.

2 The BLM should step back, reconsider their
3 aggressive schedule for route designation in the West
4 Mojave. And when they send this back to the appropriate
5 task group subcommittee, there should be a full and
6 complete report and recommendations for how the process
7 is to proceed. Thank you.

8 MS. PILMER: Supervisor McQuiston will be
9 followed by Steve Morgan.

10 MR. JOHN MC QUISTON: Good evening. My name is
11 John McQuiston, First District Supervisor, County of
12 Kern. I am also a member of the California Desert
13 Advisory Council, representing local government.

14 And I would like to begin by simply thanking
15 the Bureau of Land Management for holding this public
16 meeting. It is truly my sincere belief that involving
17 the public improves governmental decision making. And I
18 thank you for allowing this forum.

19 I am here tonight, though, to state my reasons
20 for not supporting the proposed route designation
21 process and proposed changes. I will discuss some of
22 the factors leading to how I came to this position of
23 opposition based on what I believe to be flawed and
24 perhaps an unlawful decision-making process by the
25 agency.

1 And, three, particular reasons lead to my
2 conclusion.

3 The first of my statements concerns the
4 polygons in the West Mojave Planning Area. A little
5 over a year ago, at the Desert Advisory Council meeting
6 in Ridgecrest, the subject of route designation was
7 presented.

8 Many members of the public -- I know Councilman
9 Morgan was there and I was there -- to make comment
10 regarding route designations, specifically what criteria
11 would be used to make a decision on whether to close a
12 road or not, how would the specific criteria be
13 weighted, and an explanation of the analysis to support
14 whatever the specific recommendation would be.

15 The response was that within a few months, the
16 proposal would be presented to the public with this
17 level of detail. On March 14, 2001, a public meeting
18 was hosted by BLM here at this same center to present
19 those route designation changes.

20 There were 23 evaluation factors that were
21 presented. There was, however, no discussion on how
22 they were weighted or any description of the analysis of
23 how the conclusions were reached.

24 We were informed at that meeting that three
25 members of BLM staff with over 35 years of experience

1 using aerial imagery developed the proposed route
2 designation analysis. As I recall, the three members of
3 staff were a resource manager, a biologist, and a member
4 of law enforcement.

5 Members of the public had questions about how
6 the factors were weighted, what analysis was used.
7 There was no explanation provided, nor any discussion of
8 how the staff reached their conclusion. Rather, the
9 explanation was that these three members of the staff
10 using their 35 years of experience, seven-year-old
11 aerial imagery, came to the proposed route designation
12 recommendations.

13 Following the discussion of how the route
14 closures were developed, several members of the public
15 asked the moderator if the agency would conduct a field
16 check of their recommended route closures?

17 The answer seemed to be no. So I personally
18 asked the BLM district manager if BLM was or was not
19 planning to field check their analysis? The answer was
20 no. I asked if he would be willing to reconsider? And
21 the answer was no.

22 After many months of commitment to bring a
23 detailed explanation of the route designation analysis,
24 the recommended closures reflect to the public and for
25 all practical purposes nothing more than the personal

1 opinion of three members of BLM staff using their
2 seven-year old imagery, some undisclosed scientific
3 data, and 35 years of field experience.

4 Let me make an analogy. If this were the field
5 of medicine, it would be like me going and being met by
6 a general practitioner, a specialist, and a security
7 guard, and they take a seven-year-old x-ray and make a
8 diagnosis.

9 No physical examination would be performed, no
10 medical records kept. And if I did not agree with the
11 diagnosis, I could go -- I would be told to go to the
12 medical books, introduce reasons why they should
13 reconsider their diagnosis. Quite frankly, in the field
14 of medicine, this would be known as malpractice.

15 My second focus deals with the California
16 Desert Conservation Area as a region, which is comprised
17 of three subregions: The West Mojave Planning Area, the
18 Northeast Colorado Planning Area, and the Northeast
19 Mojave Planning Area. Together, they comprise what we
20 call the California Desert Conservation Area.

21 The route designation process is not consistent
22 between these regions. For example, in the NECO, only
23 30 percent of the roads are currently being evaluated.
24 And in that plan, there are only five evaluation factors
25 being considered.

1 Whereas here in the West Mojave Plan, there are
2 23 evaluation criteria. Why five in one area and 23 in
3 another? To what extent is the difference between the
4 two in management approach, if any? Shouldn't the goals
5 of the California Desert Conservation Area Management
6 Plan, not necessarily management approach, be the
7 determinate factor in forming public policy decisions?

8 The California Desert Conservation Area is one
9 ecological region. There should be one scientific and
10 management standard applied consistently throughout the
11 resource area.

12 Third, my last point deals with modeling and
13 simulation. Recently, as noted, a contract has been
14 made with CM2 Hill to develop a modeling program that is
15 intended to provide quantifiable, consistent standards
16 to develop route designations. This model will consider
17 several resource values and will develop a mathematical
18 algorithm to analyze these resource values and establish
19 a consistent standard in the decision-making process.

20 And I will deviate from my script here for just
21 a moment. But, generally speaking, to validate a model,
22 you know when the inputs and the algorithm is right if
23 it replicates what currently exists. And the
24 recommended route changes that are being proposed really
25 should be postponed until the model is complete. And it

1 should be tested using the existing road infrastructure
2 today, not what's proposed, as the baseline.

3 If we don't follow this protocol, the result
4 will be using a scientific methodology to validate an
5 unscientific, procedurally flawed, and perhaps unlawful
6 discretionary decision. We want science in the
7 decision-making process, but not as a means to validate
8 error. Just like compound interest, this would be
9 compound error.

10 My request is simple: Develop and validate the
11 modeling tool using the existing route structure as a
12 baseline before making recommended closures. Let the
13 model create the alternatives, not validate a
14 predetermined outcome. Route designation is far too
15 important an issue to allow shoddy process. We cannot
16 understand your decision-making process and how you
17 reached your conclusions.

18 Road designations should be based on good
19 science and sound public policy. The decision-making
20 process leading to the proposed route structure
21 presented today represents neither.

22 I do thank you for the opportunity to speak.
23 And thank you for holding this public meeting.

24 MS. PILMER: Steve Morgan will be followed
25 Dorothy G. Brown.

1 MR. STEVE MORGAN: My name is Steven Morgan. I
2 am a councilman here in the city of Ridgecrest. I will
3 not wax as eloquent as Mr. McQuiston. But I do have a
4 couple of concerns.

5 My first concern is: Now, I have been
6 attending the Task Group 1 meetings, and I have also
7 been attending a subcommittee meeting for compensation.
8 And it is apparently clear to me that the two sides, if
9 you will, are completely 180 opposed. And I don't
10 believe that there is going to be any meaningful way to
11 come to a reasonable conclusion between the two groups
12 without it going to lawsuit, which we have already seen.

13 This concerns me greatly in the process. If we
14 truly are going to utilize this system of trying to be
15 fair and equitable to both sides, we need to figure out
16 a way to stop opinion by lawsuit.

17 We have seen Surprise Canyon, now the Edwards
18 Bowls areas, fenced off because of an agreement to look
19 at certain areas. And we don't know for sure whether
20 those areas truly should have been closed off or not.
21 This trend is going to continue unless we figure out a
22 way to stop it.

23 Another one of my concerns is that this process
24 is following exactly what the inland Sierra Club
25 guideline states: "All BLM land shall be specified

1 designated map and signed as open, limited, or closed.
2 The BLM should adopt a 'closed unless open' policy to
3 allow ORV use on all roads, trails, and routes."

4 And that's what we are doing. And I don't
5 understand that. I think the process is upside down.
6 The land was open. Prove that it should be closed. Not
7 close it and then make us prove that it should be open.

8 Also, since it is blatantly apparent to me that
9 the maps are not in any way, shape, or form accurate,
10 how can you expect us to defend ourselves? It is
11 impossible. And if you take that one step further, as
12 this process is going on, it is apparent to me that any
13 route that isn't designated up there that's left off is
14 going to be closed, and then we have to prove it needs
15 to be open. That's not correct. That shouldn't be.

16 And I know it's been an extremely hard task.
17 And I know it's been acrimonious at best. But there is
18 one more point I would like to make.

19 Not just reference the three subregion maps
20 tonight. But I will reference all the subregion maps
21 that I have been able to look at. And I am no
22 mathematician. But when I look at the total mileage of
23 routes and then I use -- you know, I try and look at how
24 much percentage is open and how much percentage is
25 closed.

1 What I thought I would find is some type of
2 bell curve. If you roll dice, as we have all done in
3 grade school, you get a couple of 2s, you get a couple
4 of 12s, you get a bunch of 7s. You get this nice bell
5 curve.

6 Well, what I am seeing is this suspiciously
7 almost flat line between all these subregions. It looks
8 like somebody picked a number and said, this is the
9 number we are going to shoot for in each and every one
10 of these subregions.

11 And I would like you to take a look at that. I
12 would like you to take a look at the total mileage, take
13 a look at the total closure, because -- and it's more of
14 a percentage in every one of them. And then I would
15 really like an explanation of why that number looks
16 almost the same. That doesn't appear correct to me in
17 this process. Thank you.

18 MS. PILMER: Dorothy Brown will be followed by
19 Ron Schiller.

20 MS. DOROTHY BROWN: Thank you, gentlemen. I
21 appreciate what Carol had to say. That's the first time
22 I have heard somebody consider what people with
23 disabilities are up against with you people. And I
24 guess "you people" is about as good a term as I can come
25 up with.

1 I don't make all of the planning meetings or
2 discussion groups. I have a severe problem with walking
3 any distance. Both hips and one knee are replaced. And
4 I said I would never enter comments. But now I have for
5 the first time, really. I made a comment, but it's been
6 ignored. Most of us people who are disabled are senior
7 citizens and have supported the government with taxes
8 and in many other ways just about all of our lives.

9 Now, in the years that we have left, we are
10 being excluded in your preparations to close roads to
11 many of the places that we are no longer able to walk
12 to. I can give you instances of places I have been that
13 I would like to once again go look at or go sit and
14 contemplate, some good times I have had in some of those
15 areas.

16 But in most cases, even wheelchairs couldn't
17 make it, because it's too rough to -- and they are not
18 motorized. But they couldn't make it, in a lot of the
19 places that I would like to go, and I have been.

20 I have walked almost the entire area of the El
21 Pasos in a period of about eight years. I know almost
22 every canyon. I am on personal hellos with a lot of the
23 rocks and things in that area. I love it. I am not
24 going to be able to go, fellas.

25 The roads that are available at most times are

1 difficult to drive due to motorcycle whoop-de-doo. And
2 I am not saying get the motorcycles out. I don't
3 believe that, either. But you confine them to an area.
4 It's going to mess up that road.

5 They are having their kind of fun. And I don't
6 want to interrupt that. The Rand Mountain area is a
7 perfect example. There are roads in Rand that I have
8 been able to drive at one time. I spent about two years
9 in the Rands, by the way, prospecting, too.

10 But there are roads in the Rand I can't drive
11 with my little four-wheel drive; because it's too
12 whoop-de-doo. Can't make it. They are open roads, but
13 not for me, not in my car. Well, I have a four-wheel
14 drive. But, still.

15 But the thing is, if you don't take into
16 consideration some of us seniors who can't walk, we are
17 going to rebel. I am going to move rocks, and I am
18 going to go where I darn well please. Thank you.

19 MS. PILMER: Ron Schiller will be followed by
20 Jerry Grimsley.

21 MR. RON SCHILLER: Here is an original and a
22 copy of others who couldn't make it tonight.

23 Wow, a lot people have said a lot of great
24 things tonight. Really pleased with the quality of some
25 of the comments.

1 I have a brief statement I would like to read.
2 But I would like to make a few comments that I kind of
3 came up with as I listened here today. You mentioned
4 that you would entertain questions as we came up with.
5 You mentioned time frame, extending the time frame. How
6 do you propose to do that when a lot of these time
7 frames are being driven by the lawsuit?

8 MR. HAIGH: There is a little wiggle room in
9 the lawsuit schedule that I think I might be able to
10 play with. And if I can get Task Group 2 to endorse it,
11 I think I can do it.

12 MR. RON SCHILLER: Okay. That would be good if
13 you could. I didn't see that much flexibility in there.
14 But I hope you are right.

15 One of the things that occurs to me is that,
16 you know, as we look at the impacts of vehicle use --
17 and a lot of people have correctly focused on the OHV
18 versus motorized access issue -- there are other
19 actually non-motorized issues that -- or enthusiasts
20 that could have a stake in this, as well.

21 And I would point out that, you know,
22 backpackers going to trailheads and hikers -- however,
23 one that's often overlooked is actually the equestrian
24 groups need the access via vehicle.

25 Many of the groups have what they call poker

1 rides, which are little fund raisers that they have.
2 Those generally require motorized access for support
3 vehicles to carry pop and drinks and the cards that they
4 distribute along the way. The endurance riders
5 absolutely need motorized vehicle access for vet checks
6 that are vital to the health of the horses as they
7 compete in the competitive event.

8 That's mandatory, as far as the rules go. And
9 without motorized access, they would be eliminated from
10 a lot of these areas.

11 Thirdly, as far as the equestrian groups go,
12 there are long distance rides such as -- every year,
13 during the Death Valley encampment, there are groups of
14 riders that leave here, head for Death Valley on a
15 week-long ride. Those would be virtually impossible
16 without motorized access to haul the hay and water and
17 feed and gear for the participants. So I would like to
18 clarify that even seemingly non-motorized users of the
19 public lands do require some motorized use, as well.

20 One thing that occurs to me is that the desert
21 tortoise natural area south of the -- Ridgecrest here,
22 down toward California City -- the amazing thing to me
23 is that that was established 30 years ago.

24 And it involves 39 square miles, which is a
25 considerable amount of acreage. And of that 39 square

1 miles, all grazing, mining, and motorized access for all
2 types of motorized recreation have virtually been
3 eliminated from that area.

4 Yet we still see a decline in that area of 95
5 percent tortoise population drop, which has not really
6 been seen out in the motorized areas. And I can testify
7 to that with personal observations.

8 So I think that, you know, while we can --
9 while we can lay different blames on different things, I
10 think that we should look more at the diseases and the
11 other factors that are affecting the tortoises and not
12 use it as an excuse to close off areas to other uses,
13 especially in areas like the El Paso Mountains, where
14 that's a Category 3 habitat. Anyway, I would like to go
15 ahead and read our statement.

16 The current management actions taken by the
17 Bureau of Land Management in development of the proposed
18 route designations for the various polygons in the West
19 Mojave Land Management Planning process are not
20 reasonable. The current proposals are not based on any
21 established criteria and only represents a quick and
22 dirty exercise in arbitrarily eliminating historic
23 access to public lands in the California desert.

24 In this case, the BLM has developed a set of
25 maps that would, if implemented, eliminate the majority

1 of access to our public land and thus forcing the public
2 to grovel and fight them in return for a portion of the
3 access. This is not the way the process is supposed to
4 work.

5 We contend that the route designation maps are
6 a red herring that the BLM wants us to chase instead
7 of -- instead of grasping -- a red herring that the BLM
8 wants us to chase. Instead of gasping, wringing our
9 hands, and begging the BLM to give us some of our road
10 back, the public should be demanding that the BLM
11 explain the rationale and the criteria used to determine
12 which roads should be eliminated. We as the public not
13 to take the bait but instead demand that the BLM do
14 their job and do it right.

15 Don't be fooled by this process. It is not
16 being driven by the National Environmental Policy Act as
17 required by current law. It is being driven by wealthy
18 environmental extremists from Tucson, Arizona, the
19 Sierra Club, and renegade BLM officials who call
20 themselves public employees for environmental ethics who
21 are shouting, we will sue if we don't get our way.

22 This is well documented on BLM web sites.
23 These road closures are based on nothing more than an
24 attempt to try to appease extremists' unquenchable
25 thirst for our public lands. They contend that our

1 access is bad and somehow hurts the resources.

2 Some of us recall when the so-called Desert
3 Protection Act was being promoted as the panacea to save
4 the desert. Remember? We were told we would still have
5 all these areas left for multiple use, and even 500,000
6 acres for open, unrestricted vehicle play.

7 The result of the so-called Desert Protection
8 Act was to severely restrict access on nine million of
9 the 12 million acres of public land within the
10 California Desert Conservation Area.

11 Now, the extremists are coming for the rest.
12 And many of us are not willing to give any more without
13 serious opposition. This isn't about saving tortoises
14 or resources. It's about economic control, advancing
15 the agenda of environmental organizations, implementing
16 the wildlands project, and rural cleansing.

17 Now is the time to draw the line in the sand
18 and say no more, while we still have some access to our
19 public land. I would like to thank you for this
20 opportunity to express our concern.

21 MS. PILMER: Jerry Grimsley will be followed by
22 Mary Grimsley.

23 MS. MARY GRIMSLEY: Needless to say, I am not
24 Jerry. He is on travel. So I am having to read his
25 statement. It's for the Gear Grinders Four Wheel Drive

1 Club. And I will begin.

2 My name is Jerry Grimsley. I am president of
3 the Gear Grinders Four Wheel Drive Club of Ridgecrest.
4 My family and friends have been going to the El Paso
5 Mountain and Red Mountain areas since 1968 and have
6 taken dozens of trips into these areas. I have been a
7 resident of Ridgecrest for 21 years. I am here to
8 express my frustration with the BLM and the trail
9 closure process.

10 I am familiar enough with the El Pasos and Red
11 Mountains that I only rarely have to refer to a map as I
12 travel through the area. During my review of the El
13 Paso Mountain maps in particular, I find multiple errors
14 which will adversely impact the public's use of these
15 areas.

16 Typical of the discrepancies that I found are
17 the following: One, existing routes of travel which
18 have not been included in the maps, non-existent
19 routes -- two, non-existent routes which are recommended
20 as open routes of travel.

21 Three, routes which have been unserviceable for
22 many years due to storm damage are shown as open routes,
23 while adjacent main access routes are closed.

24 Four, main access routes have been closed while
25 extremely hazardous adjacent routes are shown as open.

1 These last two discrepancies effectively deny access to
2 a large segment of the current users unless long detours
3 are made.

4 Five, paved county roads are credited as open
5 routes for recreational access. How generous. This
6 appears to be a pre-established goal to reduce excess
7 route mileage by a certain percentage regardless of the
8 conditions on the ground.

9 Resource protection concerns serve only as a
10 convenient justification for the closures. The attitude
11 of the BLM seems to be that it is acceptable for them to
12 recommend closures based on topo maps and aerial photos,
13 while it is the public's responsibility to perform any
14 field checks.

15 Most of the public has to work for a living.
16 Most of the public does not have the time or technical
17 training to do this job. This is the BLM's job; and you
18 are not doing it.

19 Before an existing route is closed, the Gear
20 Grinders Four Wheel Drive Club demands an on-site
21 inspection by knowledgeable BLM personnel and interested
22 public representatives to verify that the stated
23 resource conflict really exists, followed by
24 recommendations on mitigation of the resource conflict.

25 Route closures should not -- should be the last

1 resort when no other alternative is available. The back
2 country vehicle users in this area lost a great deal of
3 access with the passage of S-21. Further closures
4 without justification are not acceptable. Further loss
5 of my freedom is not acceptable. Jerry Grimsley.

6 I knew that there would be a lot of people
7 giving a lot more detailed reasons why this process has
8 failed and flawed. And so I am doing mine a little bit
9 more on a personal type of basis.

10 My name is Mary Grimsley. And I am a woman who
11 enjoys traveling the back country roads and trails of
12 the western United States, including those around
13 Ridgecrest. I basically enjoy the search for
14 outstanding scenery and vistas, seeking a prehistoric or
15 historic site, watching for wildlife, and experiencing
16 the great outdoors.

17 I enjoy traveling easy roads as well as the
18 challenge of a rocky, steeper twisty trail. I choose to
19 do these things in my jeep. We have always stayed on
20 the existing roads and trails in our travels, camping in
21 areas that are remote and away from others. We enjoy
22 the company of friends and family while taking in the
23 solitude of the desert.

24 We always leave these camp sites and trails
25 cleaner than when we arrived. I started coming out to

1 the El Paso area in 1968, and still to this day enjoy
2 the beauty of the area.

3 During these 33 years, I have helped map the El
4 Paso Mountains three times, with two of those mapping
5 projects being turned over to the BLM. Where are those
6 maps? The first time was in the mid-1970s, with my
7 first club, the Wanderers, again in the early 1980s with
8 our current club, the Gear Grinders. We mapped roads,
9 trails, and guzzlers. Where are these maps?

10 Therefore, I contend it is now the BLM's
11 responsibility to go out in the field and ground proof
12 the maps. There are non-existent roads being designated
13 in these -- on these maps as open and main trails being
14 closed using these aerial maps.

15 These maps do not show a clear picture of what
16 is actually on the ground. These aerial photos show up
17 animal trails, small and larger washes, et cetera, as
18 roads or trails. In actuality, they are just that,
19 animal trails and washes.

20 These non-trails, along with the actual roads
21 and trails on the ground, make the area look like
22 spaghetti on a map, when the real story on the ground is
23 a low to moderate concentration of trails. Dead-end
24 trails allow for dispersed camping or entry to a
25 favorite hunting or gem and mineral collection site,

1 while through or loop trails disperse users into
2 multiple areas and avoid conflicts.

3 I raised my son in the back of my family jeep.
4 And he now wishes to raise his daughter and son in the
5 back of his. Teach them the respect -- teaching them a
6 respect and a love for the animals, plants, and the
7 beauty that is out there.

8 It is this healthy family-oriented recreation
9 that is now endangered, this outlet for families to
10 spend quality time together while planning, packing,
11 camping, and clean-up afterwards that needs protection.
12 We have suffered through way more road closures in
13 this -- closures in this area than we care to count.

14 The elitist agenda of the radical
15 environmentalist groups to exclude humans from the
16 equation must be put to rest. Seeking a middle common
17 ground where education of the public as to proper use of
18 our public lands should be the agenda, not shutting them
19 out. Any closures should be based on good science.

20 Thank you for having this meeting and entering
21 into public record these and all the comments that you
22 have heard tonight. I would also like to say, we
23 would -- recently just took a trip up Horse Canyon to
24 McGuyver Spring.

25 And my husband said, geez, this road is getting

1 really whooped out. All the motorcyclists are using it.
2 I said, well, look around. All the motorcycle trails
3 have been closed in this area.

4 And the more you close, the more concentrated
5 the users are going to be and the more beat up the
6 trails are going to be. And then you are going to throw
7 up your hands and say, oh, my God, we can't allow this
8 to happen. And then you will want to close those, too.
9 So it's -- enough is enough.

10 MS. PILMER: The next speaker will be Dick
11 Moon, to be followed by Jennifer Foster.

12 MR. DICK MOON: Thank you for this opportunity.
13 Everybody has stole my thunder. I have not much left to
14 say. You have all covered just about everything I
15 needed to say.

16 But I would pose a rhetorical question to you.
17 I don't need an answer. But how many more meetings do
18 you need to sit through like this? Because you hear the
19 same thing over and over and over. Start listening.

20 Everybody is telling you your maps are flawed.
21 The program is flawed. The whole plan is flawed. The
22 time limit that's been imposed on us is too short. We
23 can't review all this in the time you have given us.
24 And the maps are not good.

25 But we keep telling you this in meeting after

1 meeting. I have attended several of your meetings. You
2 keep hearing the same things over and over. And now you
3 are going to take these comments and go back. And what
4 do you do with these comments? Where do they go? You
5 are not listening. How many times do you need to be
6 told?

7 All I can say about the El Pasos out there is,
8 I have been there hundreds of times, love the area
9 dearly. The area is known for -- historically because
10 of all the mining and prospecting going on there. The
11 roads have been out there for over hundreds of years.
12 And I have seen no detrimental effect because of it.

13 So why are you taking them away if there is no
14 detrimental effect? They have been there for hundreds
15 of years. So what's it going to do by taking them away?
16 Like this last lady has said, it will impact other
17 areas. And that scares me badly. Because then those
18 areas will be proposed to be closed.

19 And you talk about co-existence with the
20 animals, with the desert tortoise, with the Mojave
21 ground squirrel, all the rest of this, the raptors out
22 there. I don't see any degradation there, either. I
23 see an abundance of plant life, animal life.

24 Everywhere I go in the El Pasos, I see an
25 abundance of plant and animal life. None of this is

1 diminishing. So why is it necessary to take it away?
2 You have heard all this. How many more times do we need
3 to say it?

4 MS. PILMER: Jennifer Foster will be followed
5 by David Matthews.

6 MS. JENNIFER FOSTER: My name is Jennifer
7 Foster. I am from Hesperia, California.

8 I have great concerns that the BLM is in
9 violation of the NEPA process with this plan. As WEMO
10 has progressed over the last ten years, I am not aware
11 of any continuing Notices of Intent being filed with the
12 Federal Registry.

13 The information furnished to me by the BLM has
14 been -- has been very frustrating and full of
15 inaccuracies. Route designation has been made with
16 severely out-of-date information.

17 I wish to see supportive and current
18 documentation for all route closures and expansions of
19 wildlife habitat. After researching the plan, I feel
20 there is no consideration given to the disabled public.
21 With these closures, the BLM is completely violating the
22 rights to the Americans with Disabilities to due
23 process. 60 percent of Americans are elderly and/or
24 disabled.

25 My off-road vehicle is a horse. I need

1 motorized access to get my horse there. Thank you.

2 MS. PILMER: David Matthews will be followed by
3 Jeannie Haye.

4 MR. DAVID MATTHEWS: Thank you. I have
5 submitted a letter in writing to -- of the first couple
6 of statements that I would like to make. I choose to
7 say that I like to represent myself, my grandchildren,
8 and the general public.

9 My first statement -- it's in the letter -- is
10 that I believe the West Mojave Planning process and a
11 lot of the Desert Protection Act itself are
12 unconstitutional. I will not say on what basis that I
13 believe that at this time; because there may be people
14 looking into the validity of this claim.

15 Secondly, I want to state that I back the
16 Desert Advisory Committee's motion to extend the comment
17 period. This was made at their June 16th meeting right
18 here in this room.

19 I am not just being a copy cat. But I have
20 found it difficult as a 70-year-old grandparent to do
21 ground checks, especially when the comment period and
22 the maps became available right as the desert
23 temperatures started to rise. I find that I cannot
24 tolerate the desert heat like I used to.

25 Also, as another backup, which after I wrote

1 that letter, I happened to remember, it's already been
2 mentioned that there are some inaccuracies in all of the
3 maps. And on the field trip for the Desert Advisory
4 Council, I was going along -- only I left the field trip
5 to come back and attend another luncheon meeting here in
6 Ridgecrest with the intent of reconvening with them
7 later in the afternoon on the designated route.

8 Well, I looked at the map that they had
9 provided. And not knowing exactly where they were, I
10 thought perhaps I would go to a point where I knew they
11 should be eventually and wait.

12 Believe it or not, I got lost. I just had to
13 back track and gave up. Because what I found out there
14 was that there was routes on the ground that were not on
15 the map. So I didn't know which one to go, because it
16 wasn't marked or anything.

17 And finally -- sorry, one -- I have one
18 question, also. On the -- regarding CH2M Hill, it's
19 quite an unusual name for a company outfit. Were they
20 selected by competitive bid?

21 MR. HAIGH: The answer is yes.

22 MR. DAVE MATTHEWS: Okay. The reason I ask
23 that is because, I don't know how biased they are. I
24 have nothing in their background at all. I just heard
25 about them when I got this thing today -- yesterday,

1 excuse me.

2 And my final comment is this: Sunday night --
3 I have a nephew that resides in Maine. And his birthday
4 was July 5th. And I called him for a belated birthday
5 wish, found out that he had gone out and bought himself
6 a new dirt bike.

7 I said, do you have adequate areas to ride in?
8 And he said, oh, yeah, we have got all kind of areas
9 back here. I got an old -- gravel pits and whatnot with
10 miles and miles. I can ride all over the place.

11 I said, you are lucky you are not out here
12 where you have to contend with the BLM.

13 He said, BLM, what's that?

14 MS. PILMER: Jeannie Haye will be followed by
15 Marie Brashear. And that's the last request to speak
16 form that we have. So if there is anyone that's wishing
17 to speak, we will bring it up.

18 JEANNIE HAYE: Hi. Thank you for being here.
19 And it's good to join with you. And I have so much in
20 common with many of you, and perhaps not quite
21 everything.

22 I identify with what some others have said. I
23 am a senior citizen. I have a debilitating illness that
24 limits my hiking. I own an SUV. And at least some of
25 you, I am a member of Friends of Jawbone. Also, for

1 what it's worth, I earned my living for years as a
2 mathematician. So I am one. And I am a Sierra Club
3 leader.

4 I want to say a couple of things in response to
5 what others have said. One is, I utterly agree with the
6 people who believe in signing, that signing is
7 important. I agree with that. I have been lost on the
8 ground trying to do what was legally permissible. That
9 was one thing.

10 Another thing -- well, let me go on. Math
11 models came up. I would point out that if one could
12 take data and nothing changed while doing those models
13 or getting the data and then modeling it, I could see
14 the point in waiting.

15 In a case that we have here, change happens all
16 the time. So I find myself wondering if it's ever
17 possible to get data to an entirely accurate model.
18 When I worked for the Navy, we did not put off doing a
19 model because we didn't know what exactly would happen
20 if a bomb hit one of our ships. We modeled, anyway,
21 with the best data we had.

22 So I really, strongly think that although we
23 need to get those benchmark data very quickly, we do
24 need to go ahead and implement this process. I respect
25 that it's important that we are all part of the process.

1 But I think we need to remember its goals and get on
2 with them.

3 Ten years is a long time. There has been a lot
4 of change out there in those ten years. We can't get
5 those ten years back. There is no way we can bring to
6 life animals. We can't do that -- or plants.

7 Okay. One thing I have found out in talking
8 with a wildlife biologist is that most routes, as we
9 know from our use as human beings -- it's also true for
10 wildlife and plants -- they are not interchangeable. I
11 think that you would agree that the routes you like to
12 use are probably not utterly interchangeable with other
13 uses.

14 You wouldn't be part of this process if you
15 didn't care about which routes you were using. And what
16 I found out is that different species react differently
17 to the presence of humans whether they come in motorized
18 vehicles, on foot, however they come.

19 And that lizards and tortoise, for instance,
20 respond differently than bigger animals to roads or
21 trails. Or whatever is there may depend -- even a
22 wildlife corridor is different for different species.

23 I respect the work that's been done in the
24 Rands by BLM and volunteers. And I think closing some
25 routes -- and I know that some have been left open. And

1 that is probably appropriate, in general. Closing and
2 rehabbing some routes have been helpful. Still,
3 rehabilitation is not exactly restoration. We can't
4 utterly do restoration. We don't even know what was
5 there before human impact.

6 But it's not clear how we can even have much
7 success for the tortoise and other parts of the
8 ecosystem together without setting aside some minimum
9 sized roundish areas. I am encouraged by the recent
10 monitoring in the Rands and hope that gives us benchmark
11 data that we can start using now to determine whether
12 the system developed there is meeting soil, science, and
13 other environmental needs.

14 If it is, this might be a very promising
15 approach. But I don't think we can wait for all the
16 data to be in from everywhere. Because by the time it
17 is, it will be changed.

18 As a member of Friends of Jawbone, I appreciate
19 the importance of including the local public in the
20 planning process and in support -- and need for our
21 support of implementation. And I think education and
22 cooperation are a must.

23 Still, some closures are a reality. Just to
24 remind everyone, this land belongs to all Americans.
25 All Americans are paying the taxes that support things

1 like, amongst others, this meeting.

2 So it's based on recent polling results,
3 Americans are more and more in favor of environmental
4 protection for our public lands. Even so, it's not a
5 popularity contest. The job of BLM is to carry out the
6 law.

7 I represent over 100 local people and over
8 500,000 nationwide in the Sierra Club who hope you will
9 do so as soon as possible. Thank you.

10 MS. PILMER: Marie Brashear will be followed by
11 Al Huey.

12 MS. SOPHIA MERK: Well, as you can tell, I am
13 not Marie Brashear. She couldn't make it. But I am
14 reading the statement for her. And the following
15 comments are submitted on behalf of Marie Brashear, who
16 could not be here this evening.

17 BLM is attempting to prejudice the outcome of
18 the NECO, NEMO, and WEMO plans by committing resources
19 to rehabilitate roads. We know this means close. Prior
20 to a decision being made to close a road, how do you do
21 that?

22 Close a road before actually receive any input,
23 evaluating the input, including the decision and one or
24 more alternatives in an environmental document, and then
25 publishing the decision.

1 None of this has happened. The BLM is in
2 violation of the NEPA requirement to commit no resources
3 which might prejudice the outcome of the planning
4 process.

5 The route designation process appears to be
6 subject to one or more policy decisions which have not
7 been submitted to the public, nor have they been
8 published as CFRs, and are in fact not policy of the
9 BLM.

10 These policies seem to be, A, wherever
11 possible, there will be no roads to dead ends and, B, no
12 road will be designated across private property or one
13 access per private property. Unfortunately, the maps do
14 not prove to detail which includes all private property.
15 One acre and two-and-a-half-acre parcels are not shown.

16 BLM appears to be taking every citizen's right
17 under California law to assert proscriptive rights. I
18 am not sure they are allowed to do this. Needs
19 clarification.

20 Four, BLM has not kept its word, in that it has
21 not listed roads to be closed individually with the
22 reasons to close. In fact, the BLM has provided
23 grouping of roads and a giant list of reasons. Each
24 reason does not apply to each and every road proposed
25 for closure in the group.

1 Five, my input on the El Paso route designation
2 process is that all roads must remain open. All are
3 needed and provide access for one reason or another.

4 Six, BLM has denied citizens the right to
5 appeal policy, procedures, application of regulations,
6 and the like by requiring the public to skip over
7 decisions by the state director and the secretary and
8 announcing that the public must go to the IBLA. I am
9 not sure that the local desert district has the
10 authority to do this. We need clarification by the
11 secretary.

12 These are just a few of my concerns. Sorry,
13 again, I cannot be there. Marie Brashear. Thank you.

14 MR. AL HUEY: I'm Al Huey. I'm a local
15 Ridgecrest citizen. I just have to -- one question
16 before I get started.

17 I notice that we have the stenographer here,
18 and that this is being videotaped. For the organization
19 I represent, Ridgecrest Citizens for Constitutional
20 Government, is -- will that be available in a transcript
21 and a video cassette that we could get a copy of?

22 MR. HAIGH: We are in charge of the transcript
23 over here. We could make copies of those available.
24 You can talk to the videographer. We are not sponsoring
25 that.

1 MR. AL HUEY: Who is?

2 MR. HAIGH: I don't know.

3 THE VIDEOGRAPHER: We can talk later.

4 MR. AL HUEY: Okay. Again, my name is Al Huey.
5 Committee members -- I thought there would be a
6 committee here tonight -- guests, and elected officials,
7 I was going to speak to you tonight about RS 2477,
8 rights-of-way.

9 But in researching this in preparation for
10 tonight, I discovered something very interesting. The
11 Bureau of Land Management has had this argument before
12 them numerous times in the past. In fact, there are
13 several court cases on the books regarding this. The
14 BLM lost many of those cases, the Court favoring either
15 the State or the citizens that brought the suits.

16 So realizing this fact, I changed my direction
17 at the eleventh hour. The last time that I spoke to
18 the -- to a gathering of BLM officials, I spoke on state
19 sovereignty and states' rights.

20 Some of what I spoke of that night seemed to be
21 new information to those whom I addressed. In fact,
22 many acted as if it were new information that might have
23 been withheld from them. I hope my statement tonight
24 will have the same impact.

25 In recent years, many of the western states

1 have had several land disputes with the BLM, as we in
2 Ridgecrest face here today. But it is not only the BLM
3 that has come into the Indian Wells Valley. No. We
4 have also had the Environmental Protection Agency visit
5 us and try to bring the big arm of federal government
6 down on our community relating to air and water quality
7 standards.

8 In these recent years, there have been some
9 brave men and woman who have attempted to stand up
10 against these agencies: The Sagebrush Rebellion, the
11 Jaw Bridge Shuttle Brigade, the Bucket Brigade from
12 Klamath Falls, to mention just a few.

13 When and where do the federal government get
14 the authority to turn the water off and in doing so
15 destroy an entire farming community? This is happening
16 today in Klamath Falls. It was just last week that
17 across this nation we celebrated our nation's
18 independence.

19 225 years ago, a small group of men banded
20 together and took a bold step and wrote our Declaration
21 of Independence. Many have the misconception that they
22 did this because of high taxes, when in reality, taxes
23 had little to do with it.

24 Those brave men declared their independence
25 because of lost rights and freedoms. Today we see the

1 same thing occurring again. People are losing their
2 rights and freedoms all across these United States.

3 I won't waste this committee's valuable time by
4 reading the entire Declaration of Independence. But I
5 would beg your patience in allowing me to read but a
6 portion of it. We would also suggest that it might be
7 well for the committee and elected officials to refresh
8 themselves with this document.

9 The declaration in part states, and I quote:
10 When in the course of human events it becomes necessary
11 for one people to dissolve the political bands which
12 have connected them to -- with one another, and to
13 assume among them the powers of the earth, the separate
14 and equal station to which the laws of nature and of
15 nature's God entitle them, a decent respect to the
16 opinion of mankind requires that they should declare the
17 causes which impel them to separation.

18 We hold these truths to be self-evident, that
19 all men are created equal, that they are endowed by
20 their creator with certain inalienable rights, that
21 among these are life, liberty, and the pursuit of
22 happiness.

23 That to secure these rights, governments are
24 instituted among them, deriving their just powers from
25 the consent of the governed. That whenever any form of

1 government becomes destructive of these ends, it is the
2 right of the people to alter or to abolish it and to
3 institute new government, laying its foundation on such
4 principles and organizing its powers in such form as to
5 them shall seem most likely to affect their safety and
6 happiness.

7 We therefore, the representatives of the United
8 States of America in general Congress assembled,
9 appealing to the supreme judge of the world for the
10 rectitude of their intentions to do in the name and by
11 the authority of the good people of these colonies do
12 solemnly publish and declare that these united colonies
13 are and are right ought to be free and independent
14 states, that they are absolved from all allegiance to
15 the British Crown.

16 Ladies and gentlemen, I firmly believe that the
17 representatives of the BLM will go forward from tonight
18 with their proposed plan whether we like it or not.
19 Their own history dictates their direction. And from
20 what I have read and observed, nothing that any of us
21 say here tonight will sway them.

22 I therefore direct my plea to those lovely
23 elected officials that are in attendance here tonight.
24 Each of you took an oath of office. With your hand
25 raised, you swore to uphold and defend our state and

1 federal constitutions against all enemies, foreign and
2 domestic.

3 Are the public offices you hold so important
4 that you would dishonor your oath of office in order to
5 continue in office? I hope this is not the case. I
6 pray that we have some who would not allow an oppressive
7 federal government to heavy handedly push them and their
8 community around.

9 Our constitution was written purposely to limit
10 the powers of government. Yet today many seem to ignore
11 this document. The BLM office over off of Richmond Road
12 should in fact not even be there, nor should any of us
13 should be in attendance at this meeting tonight.

14 Until our government abides by the
15 constitution, we can look forward in the future to many
16 more meetings such as this, trying to persuade the
17 government to allow us to keep a piece of the pie, and
18 then learning later they ate the whole thing themselves.

19 If I thought it possible to do again what our
20 founding fathers did, when they pledged their lives,
21 their fortunes, and their sacred honor, I would. But
22 the common man stands little chance against the
23 government of today.

24 I therefore am convinced that those we elect
25 today must fight the revolution for us. They must take

1 their oaths of office seriously and stand behind the
2 constitution. They can do this with great honor.
3 Because there are many not present in this room tonight;
4 because they believe in that constitution to the degree
5 of giving their lives so that we might continue this
6 great experiment. Let us not dishonor them or let them
7 down by shrugging this responsibility.

8 The Kern County Sheriff has declared that he
9 will not seek office in the next elections. The
10 Ridgecrest Citizens for Constitutional Government is
11 committed to finding an individual who understands the
12 powers of the office of sheriff. The citizens of this
13 valley deserve and desire a sheriff of the likes of
14 Arizona Sheriffs Joe Orpio or Sheriff Mack. We will do
15 our best to see that Kern County's next sheriff has an
16 understanding of his constitutional authority.

17 When they finished writing our constitution, an
18 old woman approached Mr. Franklin and asked him what
19 sort of constitution he had given them? His reply was,
20 "A republic, ma'am, if you can keep it."

21 My closing question to all of us here tonight
22 is, can we? Thank you.

23 MS. PILMER: The next speaker will be Steve
24 Ivey, to be followed by Dick Taylor.

25 MR. STEVE IVEY: Howdy. My name is Steve Ivey.

1 I am representing myself tonight. I am also the field
2 trip coordinator for CFMS. I was actually writing my
3 notes as I was sitting here; because I got notification
4 of this meeting only yesterday, like most people in this
5 room, which I don't feel is very adequate time, since I
6 have a family to maintain and don't have a lot of time
7 to make these meetings.

8 The -- also, it's a rather long distance from
9 where I live. I don't live in this area. But I do
10 frequent Last Chance Canyon, a lot of the desert. I
11 enjoy the desert.

12 One thing that I have noticed is that we have
13 had the BLM representatives come to talk to the club
14 before. And some of the things that they have talked
15 about is the desert tortoise issue, which the lady from
16 the Sierra Club brought up and other people here have,
17 also. The BLM representative himself said that most of
18 the desert tortoise loss is because of ravens, because
19 of the influx of trash dumps due to developments, and
20 also heat in the desert.

21 I would like to hope the Sierra Club luck in
22 trying to change the environment. Because 19,000 years
23 ago, the California desert was somewhat of a rain forest
24 with palm trees and everything else. The desert is
25 drying out. And it's going to continue to do that no

1 matter how much you try.

2 That's what's killing most of the tortoises,
3 along with the ravens. It doesn't tend to be people
4 driving nor people walking, collecting minerals. Most
5 of the dead tortoises I have found through ten years of
6 desert collecting have been in washes, probably at least
7 half a mile to a mile away from the closest road.

8 They have one scale missing in the back. They
9 have been pecked to death by a raven. They have flipped
10 over in a wash far away from any vehicle travel. This
11 isn't because of peoples' willfulness to destroy the
12 desert. But it's a natural phenomenon.

13 The other thing I would like to suggest is that
14 the BLM is being very unfair in its route designations.
15 When I lead field trips, most of my members that attend
16 my field trips are 50 plus. I am not saying that those
17 are senior citizens by any fact; because I am 42 now,
18 and I find myself having more and more hard time going
19 through the desert.

20 If you close an area where my closest access is
21 two miles, four miles away, which many of your routes
22 here have done, closing some wash access -- which there
23 are roads that do come up some washes. They terminate
24 before the wash gets too narrow.

25 Most of the things -- parallel washes, like in

1 the South Cadies. And I always stay on an established
2 network of roads. What you are doing is you are taking
3 an established network of roads, and you are destroying
4 it. You are not creating an established network of
5 roads. You are taking it apart.

6 The people that go on my field trips would
7 never be able to go to the desert again. They would
8 never be able to go field collecting. You are denying
9 the public their access to their public lands by these
10 road closures. And that's unfair. And it's being
11 ramrodded down the public's throat.

12 Anyway, the -- that's basically what I have to
13 say. I am going to try to attend more of these
14 meetings. And I will make more of my notes ahead of
15 time, rather than jotting them down as I sit. I do want
16 to let you know that most of the people out there are
17 quite upset. It's not fair. Thank you.

18 MS. PILMER: The next speaker is Dick Taylor.
19 And then we have no further request-to-speak forms.

20 MR. DICK TAYLOR: Gentlemen, my name is Dick
21 Taylor. I represent the California Off-Road Vehicle
22 Association, CORVA. I also race amateur desert racing
23 with District 37 of the AMAY. It's getting disgusting
24 coming to these meetings and finding that much of the
25 input that myself and my family put into it gets

1 shelved. At least that's the appearance.

2 I live in Bakersfield. I run a family business
3 that my father started in 1953. I got into town late.
4 My family and I have been recreating in the desert for
5 decades. We have been teaching our kids sensible and
6 responsible recreation, off-road riding, for years.

7 And it goes, basic principles of taking care of
8 the land, be respectful of others, don't tear stuff up.
9 And I think the way the BLM -- not just the BLM. This
10 goes to a lot of land management agencies -- view public
11 access to lands, if our officials that run our
12 interstate road systems viewed it the same way, we
13 wouldn't have anybody on any roads.

14 Because if somebody misbehaved or did something
15 wrong, we would shut the whole thing down because of the
16 few people that did the wrong thing. And that's kind of
17 the way I feel this is going. Because of the few
18 n'er-do-wells, people that are discourteous and do the
19 stuff the wrong way, the rest of us that all do stuff
20 the right way are being punished.

21 That also saddens me, to see people of the
22 World War II generation get drug down here that fought
23 America's battles, so they could come back home here and
24 have access to land, be able to recreate and have a free
25 country -- my father has passed away. But he enjoyed

1 that.

2 And I see a lot of this, now that they are
3 dying, and my generation -- the generation -- I am in my
4 mid-40s, comes along -- I feel like a lot of this is
5 just being taken away because that old World War II
6 generation that believed in that stuff is not going to
7 be around any more to stick up for it.

8 And it's really sad to see a lot of that stuff
9 happened. I am all for protecting the environment. I
10 just think a lot of the unbalanced environmentalism is
11 what's caused the problems here. I will make one
12 specific point, and I will stop my comments.

13 The BLM does not have an accurate inventory of
14 its existing routes. The route designation maps were
15 developed using old aerial photographs that have not
16 even been ground proved for accuracy.

17 I talked to one BLM official -- when I
18 questioned him at one the last meetings we had a few
19 weeks ago, maybe a month ago -- how he -- if they had
20 actually verified a specific trail. It was a coyote
21 trail or a deer trail or an off-road vehicle trail.

22 He said, well, we can tell.

23 Well, sometimes I think maybe aerial
24 photography can't tell. I think a lot of these trails
25 have not been ground proofed for accuracy. Without an

1 accurate inventory, a reasonable route network cannot be
2 developed. The BLM is depending on the public to field
3 check the maps.

4 Thank you very much.

5 MS. PILMER: The next speaker is Gregory Baske.
6 And he will be followed by Brad Tanas.

7 MR. GREGORY BASKE: I am Gregory Baske from 609
8 Wildrose, Ridgecrest. I have lived in the desert for
9 about 40 years. And I have heard a lot of good things
10 tonight.

11 I am adamantly opposed to any more closures of
12 roads. Every time I go out in the desert, there is more
13 roads closed. The roads that are out there are used.
14 When I was younger, I would see a lot more people out in
15 the desert. But now I don't see quite as many.

16 I think it has to do with the feelings they get
17 from the BLM that it's restricted. It's still public
18 land. And we should still be allowed to use it. I am
19 getting older. And I have grandchildren. And I want to
20 be able to take them out there.

21 And my wife is not as mobile as myself. And
22 she needs to be driven to a lot of the places that now
23 are closed. She can't walk that well.

24 And it has to do with a lot of older people,
25 too. This is still a free country, from what I

1 understand. And we should be able to go out and use our
2 land. We pay taxes on it.

3 So a lot of good things have been said tonight.
4 I won't get into details. A lot of the details were
5 already spoken about the tortoises, which I still see
6 tortoises around quite often in my travels. And a lot
7 of them are pecked to death by ravens.

8 I am going to close with, I hope that the BLM
9 scopes this adequately and satisfies the public.
10 Because we are the people that pay your wages. Thank
11 you.

12 MS. PILMER: The next speaker is Brad Tanas.
13 And, again, this is the last requested speaker form that
14 I have.

15 MR. BRAD TANAS: Hello. Thank you. I, like
16 Steve, only received my notice yesterday. And we came
17 up here from the valley, San Fernando Valley. I
18 represent the Del Air Rockhounds. I am president of the
19 club, and have been a member for the last, past four
20 years. The club has opened up a new hobby to myself, to
21 many new members and friends who enjoy rockhounding,
22 camping, and hiking in the desert.

23 I have found nothing more enjoyable and
24 educational than camping, hiking, and socializing with
25 friends and family under the stars. We dry camp. We

1 pack it in. We pack it out. We see and observe many
2 plants, insects, animals, and birds.

3 My son and I and many new club members and old
4 club members have a true appreciation for the desert.
5 We have learned more about geology, climate, plants and
6 animals and insects than any other class or book. We
7 collect, cut, polish, display our creations in shows to
8 share for all the community to appreciate.

9 There was a recent show up in Paso Robles. It
10 was a California Federation Minerological Show. And
11 people from all over the state descended on Paso Robles.
12 It was like two weeks ago.

13 Our members are young and old. Closing access
14 prevents or restricts our collecting areas. Closing
15 access puts hobbyists at a risk by having to hike longer
16 and further to favorite collecting spots.

17 One rhetorical question: What is a safe
18 distance for a hobbyist to hike in the desert and to
19 return to a favorite spot without putting their health
20 and family at risk? Restricting access is forcing more
21 people into that situation.

22 And let me just close with: The peace and
23 solitude of camping in remote areas cannot be explained
24 or described. It has to be experienced. Thank you.

25 MS. PILMER: We do have additional speakers.

1 Paul Kober. And he will be followed by Leroy Corlett.

2 MR. PAUL KOBER: Good evening. My name is Paul
3 Kober. I am a representative of CORVA, California
4 Off-Road Vehicle Association. I also am a member of the
5 Friends of Jawbone and the Friends of El Mirage.

6 There are not many things that I could state
7 tonight that have not already been said. As you know,
8 Mr. Haigh, I have been connected with this program for
9 quite some time. And it is becoming very frustrating.

10 I left the house this morning at 6:30 from the
11 San Fernando Valley. I will probably get home tonight
12 around 11:30. So I am dedicated to this process of
13 meeting with the BLM.

14 But sometimes I say I should just go riding now
15 while I still have a opportunity, while there is still a
16 place to go riding. I have traveled most of the trails
17 in the Red Rock area since 1962, many times up close and
18 personal, that I do not like to remember. I know many
19 of these areas. And many of the areas now are closed.

20 You have heard all of this tonight. So I will
21 try to make it short. Let's get on with the program and
22 do something with it. Either stop it, give us something
23 to work with. Let's move on.

24 I just want the recreational people to be
25 heard. That's why I decided to make comments. But

1 everything that's been said over and over for the last
2 several meetings that we have had -- so let's do
3 something with these comments and finish this program.
4 Thank you.

5 MS. PILMER: The last speaker I have is Leroy
6 Corlett.

7 MR. LEROY CORLETT: My name is Leroy Corlett.
8 I live here in Ridgecrest. I am just a member of the
9 silent majority. I just wanted to let you know that I
10 fully agree with the speakers who spoke against this
11 plan as it's presented. And I particularly agree with
12 the Kern County representatives and what they said.

13 I am concerned that you have not addressed the
14 concerns of the disabled people being able to have
15 access to the areas you have taken away.

16 And the last comment is the CHM Hill. Right
17 now, you are a reputable company in the engineering
18 business. I would suggest that you reconsider --
19 reevaluate your getting involved in this process because
20 of the ethical implications of the outcome of this.
21 Thank you.

22 MS. PILMER: Do we have any other individuals
23 who wished to speak tonight?

24 MR. HAIGH: Well, I think CH2M Hill certainly
25 sees they have a challenge ahead of them in the next few

1 months. And I think I will pledge they will do their
2 darndest to work closely with you folks.

3 I would like to thank you for coming here
4 tonight. I would like to remind you, I mentioned that
5 there will be a Task Group 2 meeting. That's our
6 subcommittee that is working with route designation
7 issues in Victorville at the Green Tree Inn on the 25th
8 of July beginning at 6 p.m. at night.

9 It will be an evening meeting, 6 to 9 p.m.. We
10 will be discussing some of these issues again,
11 specifically talking about schedule and other items.
12 You might keep an eye again on our West Mojave Web Page.
13 That lists upcoming meetings, minutes, that sort of
14 thing.

15 And for those of you who need to find the
16 address for it, we will have that available at the back.
17 The address is WWW-dot-CA-dot-BLM-dot-GOV-slash-CDD, as
18 in California Desert District, slash-WEMO-dot-HTML. And
19 that's the last of it. I promise.

20 But by going to that, you can get good
21 information on what's going on in this. All right.
22 Again, I would like to thank you for coming tonight. We
23 have some maps on the wall. If you want to hang around,
24 we will have several people here to talk to you.
25 Thanks.

1 (The meeting adjourned at 7:50 p.m.)

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5 CERTIFICATE

6

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8 I, DIANA S. CRANE, C.S.R. 10030, in and
9 for the State of California, do hereby certify:

10 That the foregoing 64-page proceedings
11 were taken down by me in shorthand at the time and place
12 stated herein, and represent at true and correct
13 transcript of the proceedings.

14 I further certify that I am not interested
15 in the event of this action.

16 Witness my hand this _____ day of
17 _____, 2001.

18

19

20

21 _____
22 Certified Shorthand
23 Reporter in and for the
24 State of California

24

25

